

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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**SENATE BILL 730
Health Care Committee Substitute Adopted 6/11/20
Appropriations/Base Budget Committee Substitute Adopted 6/17/20
Fourth Edition Engrossed 6/19/20
PROPOSED HOUSE COMMITTEE SUBSTITUTE S730-CSSH-43 [v.2]
06/23/2020 02:53:25 PM**

Short Title: The No Patient Left Alone Act.

(Public)

Sponsors:

Referred to:

May 14, 2020

1 A BILL TO BE ENTITLED
2 AN ACT PROVIDING PATIENT VISITATION RIGHTS AND APPROPRIATING FUNDS
3 TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF
4 HEALTH SERVICE REGULATION, TO DEVELOP AND DISSEMINATE TO
5 HOSPITALS FREE INFORMATIONAL MATERIALS EXPLAINING THESE RIGHTS.

6 Whereas, the COVID-19 pandemic has caused great uncertainty and anxiety across
7 our State and has significantly affected the medical community, including hospitals; and

8 Whereas, hospitals have made many efforts to keep patients and employees in a safe
9 environment, and have endeavored to minimize, to the extent possible, the risk of spread of the
10 coronavirus disease; and

11 Whereas, as a result of COVID-19 prevention measures, many unintended
12 consequences have occurred to hospital patients who were not diagnosed with COVID-19; and

13 Whereas, the General Assembly has become aware of numerous patients across our
14 State who were not diagnosed with COVID-19, but as a result of hospital visitation policies have
15 been prohibited from having any visitors, including a spouse, parent, close family member,
16 guardian, health care agent, or caregiver; and

17 Whereas, as a result, many patients not diagnosed with COVID-19 have been forced
18 to be alone during their treatment for serious conditions, traumas, illnesses, heart attacks, and
19 routine and emergency surgeries; and

20 Whereas, some of these patients have been forced to be alone for the entire course of
21 their treatment and in some cases have died alone; and

22 Whereas, many families have been unable to be physically present with their loved
23 ones while in the hospital setting and have been limited to electronic video communications, if
24 any, with the patient; and

25 Whereas, the patients who have been affected in the above-described manner have
26 included adults, minors, and individuals with intellectual or developmental disabilities; and

27 Whereas, the General Assembly finds that it is in the interest of the State and its
28 residents that hospital patients be allowed at least one immediate family member, designated
29 health care agent, guardian, or person standing in loco parentis physically present at reasonable
30 times throughout the hospitalization; Now, therefore,

31 The General Assembly of North Carolina enacts:

32 **SECTION 1.** This act shall be known as "The No Patient Left Alone Act."



1 **SECTION 2.** Article 5 of Chapter 131E of the General Statutes is amended by adding
2 a new section to read:

3 **"§131E-79.3. Visitation Rights of Hospital Patients.**

4 (a) A hospital shall allow a support person of the patient's choice to be present during the
5 patient's stay, unless the individual's presence infringes on others' rights or safety or is medically
6 or therapeutically contraindicated. The individual support person may or may not be the patient's
7 surrogate decision-maker or legally authorized representative.

8 (b) A hospital must have written policies and procedures regarding the visitation rights
9 of patients, including those setting forth any clinically necessary or reasonable restriction or
10 limitation that the hospital may need to place on such rights and the reasons for the clinical
11 restriction or limitation. A hospital must inform each patient, or support person where
12 appropriate, of his or her visitation rights, including any clinical restriction or limitation on such
13 rights and shall ensure that all visitors enjoy full and equal visitation privileges consistent
14 with patient preferences."

15 **SECTION 3.** The Department of Health and Human Services, Division of Health
16 Service Regulation, shall develop and disseminate to hospitals licensed under Article 5 of
17 Chapter 131E of the General Statutes free informational materials explaining the rights specified
18 in G.S. 131E-79.3, as enacted by Section 2 of this act.

19 **SECTION 4.** There is appropriated from the General Fund to the Department of
20 Health and Human Services, Division of Health Service Regulation, the sum of five thousand
21 dollars (\$5,000) in nonrecurring funds for the 2020-2021 fiscal year, to develop and disseminate
22 to hospitals licensed under Article 5 of Chapter 131E of the General Statutes free informational
23 materials about the patient rights specified in G.S. 131E-79.3, as enacted by Section 2 of this act.

24 **SECTION 4.1.(a)** The provisions of the State Budget Act, Chapter 143C of the
25 General Statutes, are reenacted and shall remain in full force and effect and are incorporated in
26 this act by reference.

27 **SECTION 4.1.(b)** Except where expressly repealed or amended by this act, the
28 provisions of any other legislation enacted during the 2019 Regular Session of the General
29 Assembly expressly appropriating funds to an agency, a department, or an institution covered
30 under this act shall remain in effect.

31 **SECTION 5.** Section 4 of this act becomes effective July 1, 2020. The remainder of
32 this act is effective when it becomes law.